

Sixth Appellate District

San Jose, California

MONDAY, JANUARY 8, 2001

H019900 BOARD OF CHIROPRACTIC EXAMINERS v. PEARCE

The judgment is reversed and the matter is remanded to the trial court. On remand, the trial court shall apply the standards set forth in *Fukuda V. City of Los Angeles, supra*, 20 Cal.4th 805, to its review of the administrative record, and shall make a determination regarding witness credibility under those standards. Appellant shall recover his costs on appeal. (not published)

(Cottle, P.J.; We concur: Elia, J., Mihara, J.)

Filed January 8, 2001

TUESDAY, JANUARY 9, 2001

H020349 PEOPLE v. JUAN H., A Minor

(Filed order modifying opinion.) Appellant's petition for rehearing is denied. There is no change in the judgment. (not published)

(Wunderlich, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)

Filed January 9, 2001

H019508 BANK OF AMERICA v. ZANDSTRA; KITTA

By the Court*:

Appellant's petition for rehearing is denied.

Filed: January 9, 2001

*Before Premo, Acting P.J., Bamattre-Manoukian, J. and Wunderlich, J.

H020290 PEOPLE v. AGUSTIN

The appeal is dismissed. The order is non-appealable. (not published)

(Elia, J.; We concur: Cottle, P.J., Mihara, J.)

Filed January 9, 2001

Sixth Appellate District

San Jose, California

WEDNESDAY, JANUARY 10, 2001

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P.J.; Elia, J.; Mihara, J.; and S. Nasson, Deputy Clerk.

H020662 PEOPLE v. TALIEBU DANIEL HURD

Cause called and argued by Herbert Wilkinson, Deputy Attorney General appearing for Respondent and by Jonathan Grossman appearing for Appellant. Cause ordered submitted.

H020333 SAVE THE HABITAT, et al. v. CITY OF CAPITOLA, et al., REDTREE PROPERTIES, L.P., MID-COUNTY SENIOR CENTER

Cause called and argued by William Parkin appearing for Appellants and by Stephen Kostka appearing for Real Party in Interest and Appellant. Cause ordered submitted.

H020259 MITCHELL J. PEARCE v. JOTHAM S. STEIN

Cause called and argued by Mitchell Pearce, appearing in propria persona and by Edward Cullen appearing for Respondent. Cause ordered submitted. Court is in recess until 1:30 p.m.

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P.J.; Elia, J.; Mihara, J.; and Jane F. Varize, Deputy Clerk.

H020079 PEOPLE v. STAGI

Cause called and argued by Robert Gehring appearing for Appellant and by Sharon Wooden, Deputy Attorney General, appearing for Appellant. Cause ordered submitted.

H020358 ORTEGA, et al. v. PAJARO VALLEY UNIFIED SCHOOL DISTRICT

Cause called and argued by Thomas R. Fellows appearing for Appellant and by Jovita Tamor appearing for Respondents. Cause ordered submitted. Court is adjourned.

Sixth Appellate District

San Jose, California

Wednesday, January 10, 2001 (continued)

H021250 NOZAWA v LASER

By the Court*:

Respondent's petition for rehearing is denied.

Filed: January 10, 2001

*Before Cottle, P.J., Elia, J. and Mihara, J.

H021197 RUEHLE, et al. v. SUPERIOR COURT; GREENWAY, et al.

Let a peremptory writ of mandate issue directing respondent court to vacate its order of February 24, 2000, denying defendants' motion for peremptory challenge to disqualify judge, and to enter a new and different order accepting the peremptory challenge of the Honorable Conrad L. Rushing and transferring the matter to another judge for further proceedings. The temporary stay order is dissolved. Costs in this original proceeding are awarded to petitioners.

(Wunderlich, J.; We concur: Premo, Acting P.J., Wunderlich, J.)

Filed January 10, 2001

THURSDAY, JANUARY 11, 2001

H021382 PEOPLE v. YARBER

The judgment is affirmed. (not published)

(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Wunderlich, J.)

Filed January 11, 2001

H020141 PEOPLE v. HILL

The judgment is affirmed. (not published)

(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Wunderlich, J.)

Filed January 11, 2001

H020384 PEOPLE v. BUSBY

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Cottle, P.J., Elia, J.)

Filed January 11, 2001

Sixth Appellate District

San Jose, California

Thursday, January 11, 2001 (continued)

H021141 TICKLER v. SUPERIOR COURT; SANTA CLARA COUNTY SOCIAL SERVICES AGENCY

The application of Brenda Tickler for an extension of time to file a petition for extraordinary relief under California Rules of Court, rule 989.3, is denied. The alternative writ is discharged. Our temporary stay order is vacated. Each party shall bear its own costs in this original proceeding. (not published)

(Elia, J.; We concur: Cottle, P.J., Mihara, J.)

Filed January 11, 2001

FRIDAY, JANUARY 12, 2001

H018330 PEOPLE v. RANSOM

H019768 In re RANSOM on Habeas Corpus

The trial court is directed to amend the abstract of judgment to reflect that only two enhancements under section 667 were found true. In all other respects the judgment is affirmed. The petition for writ of habeas corpus is denied. (not published)

(Mihara, J.; We concur: Cottle, P.J., Elia, J.)

Filed January 12, 2001

H021325 PEOPLE v. ALVARADO

The judgment is affirmed. (not published)

(Wunderlich, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)

Filed January 12, 2001

H021553 PEOPLE v KRALOVETZ

The judgment is affirmed. (not published)

(Wunderlich, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)

Filed January 12, 2001

H021259 PEOPLE v. YULIANA R.

The judgment is affirmed. (not published)

(Cottle, P.J.; We concur: Elia, J., Mihara, J.)

Filed January 12, 2001

Sixth Appellate District

San Jose, California

Friday, January 12, 2001 (continued)

HO20166 PEOPLE v. CRANOR

(Filed order modifying opinion.) Appellant's petition for rehearing is denied. There is no change in the judgment. (not published)

(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Wunderlich, J.)

Filed January 12, 2001

HO21490 PEOPLE v. HINOJOS

The judgment is affirmed. (not published)

(Cottle, P.J.; We concur: Elia, J., Mihara, J.)

Filed January 12, 2001

HO20067 PEOPLE v. WHITE

The matter is remanded to the trial court for it to calculate and award credit for the actual time defendant has spent in jail or prison so far and any conduct credit earned while in jail. The court's calculation is to be entered without prejudice to defendant's right to receive appropriate behavior and work credit for the entire period of his prison confinement as determined by the CDC under applicable law.

In all other respects, the judgment is affirmed. (not published)

(Cottle, P.J.; We concur: Elia, J., Mihara, J.)

Filed January 12, 2001